

DEQ/ARMB Projected Rule Changes and Development Projects (12-18 months)

Rule Project	ARM Reference	Rule Project Summary	Rule Project Status
2008 Incorporation-by-Reference	ARM 17.8.102	The incorporation by reference process is accomplished annually by amendments that change the applicable CFR dates in ARM 17.8.102.	In Process
2008 Air Quality Operation & Open Burning Fees	ARM 17.8.505 and 17.8.514	Amend ARM 17.8.505, by setting the amount of the air quality fees for calendar year 2008 and ARM 17.8.514, by revising the fee required for major open burning permit applications for fiscal year 2009.	In Process
Vacated MACT/NSPS: IBR Removal	New Rules ARM 17.8.102(2), (3), and (4)	Addition of proposed ARM 17.8.102(3) and (4) to provide for specific IBR exclusions from the 2007 CFR for court vacated requirements, or portions thereof. Addition of ARM 17.8.102(2), to automatically render future vacated federal requirements null, without the need for rulemaking.	In Process
Registration: Oil and Gas Well "Gathering" Compressor Stations	ARM 17.8, Subchapter 16 and Subchapter 17 & MCA 75-2-103(13)	Statutory definition of oil and gas "registration eligible facility" inadvertently includes natural gas "gathering" compressor engines/stations. However, the registration rules do not adequately regulate compressor engines (BACT, etc.). Because this is a statutory requirement, rather than amending the statute the Department intends to develop additional rules specifically regulating compressor engines in Subchapter(s) 16 and 17. Rule development to provide registration opportunity in lieu of permitting requirements for affected compressor stations.	In Development
Small Public Institutional Wood-Fired Boiler Rules	New	Fuels for Schools/Biomass Utilization. Option #1 would promulgate permitting requirements under ARM 17.8, Subchapter 7, for any small public institutional wood-fired heater/boiler, regardless of PTE. Option #2 would constitute a "Small Public Institutional Wood-Fired Heater/Boiler Rule" or effectively a permit by rule for the affected sources. Other options?	In Development
Title V Concurrent Application	ARM 17.8.1205	Remove/modify ARM 17.8.1205(2)(c) requiring concurrent submittal of MAQP and Title V applications.	In Development
Title V Appeal Automatic Stay	ARM 17.8.1210(2)(j) & MCA 75-2-218(6)(b)	ARM 17.8.1210(2)(j) requires an automatic stay of the operating permit upon request for hearing/appeal. MCA 75-2-218(6)(b) provides that a request for hearing does <u>not</u> stay the operating permit unless the stay is ordered by the BER. Conform Title V rules with statutory requirements.	In Development
Open Burning Appeal Automatic Stay	ARM 17.8.612(10) & MCA 75-2-211(11)(b)	ARM 17.8.612(10) requires an automatic stay of the open burning permit upon request for hearing/appeal. MCA 75-2-211(11)(b) provides that a request for hearing does <u>not</u> stay the permit unless the stay is ordered by the BER. Conform open burning rules with statutory requirements.	In Development
Christmas Tree Open Burning Appeal Automatic Stay	ARM 17.8.613(8) & MCA 75-2-211(11)(b)	ARM 17.8.613(8) requires an automatic stay of the Christmas tree open burning permit upon request for hearing/appeal. MCA 75-2-211(11)(b) provides that a request for hearing does <u>not</u> stay the permit unless the stay is ordered by the BER. Conform Christmas tree open burning rules with statutory requirements.	In Development
Commercial Film Production Open Burning Appeal Automatic Stay	ARM 17.8.614(8) & MCA 75-2-211(11)(b)	ARM 17.8.614(8) requires an automatic stay of the commercial film open burning permit upon request for hearing/appeal. MCA 75-2-211(11)(b) provides that a request for hearing does <u>not</u> stay the permit unless the stay is ordered by the BER. Conform Christmas tree open burning rules with statutory requirements.	In Development
Firefighter Training Open Burning Appeal Automatic Stay	ARM 17.8.615(6) & MCA 75-2-211(11)(b)	ARM 17.8.615(6) requires an automatic stay of the firefighter training open burning permit upon request for hearing/appeal. MCA 75-2-211(11)(b) provides that a request for hearing does <u>not</u> stay the permit unless the stay is ordered by the BER. Conform Christmas tree open burning rules with statutory requirements.	In Development
Registration:	New Rules, ARM	Rule development to provide registration opportunity in	Conceptual

Portable Non-Metallic Mineral Processing Plants (Crushers/Screens)	17.8, Subchapter 16 and Subchapter 17	lieu of permitting requirements for affected portable non-metallic mineral processing plants.	
Open Burning Department Discretion Sideboards & Housekeeping Updates	ARM 17.8.604 and 610	Incorporation of language clarifying Department discretion in moving/relocating and burning wood-waste.	Conceptual
PM _{2.5} Specific Regulations	New	NSR/PSD for PM _{2.5} Increments, Significant Impact Levels, and Significant Monitoring Concentration. Clean Air Fine Particle Implementation Rule.	Conceptual
Greenhouse Gas Regulations	New	Unknown	Conceptual